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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|-------------------------------|------------------|
| 09/938,196 | 08/23/2001 | Warren P. Porter | Warf-002 | 1156 |
| 22224 | 7590 | 01/12/2006 | | |
| PATRICIA SMITH KING 10 E. DOTY STREET, STE. 800 MADISON, WI 53703 | | | EXAMINER STEVENS, THOMAS H | |
| | | | ART UNIT 2123 | PAPER NUMBER |
| DATE MAILED: 01/12/2006 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Section I: New Examiner

New Examiner

1. Tom Stevens is presiding over the prosecution from William Thomson.

Section II: 37 CFR 1.105

2. Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.
3. In response to this requirement, please provide a copy of the following publication to which the applicants co-authored which describe the disclosed subject matter of: "Modeling Global Macroclimatic Constraints on Ectotherm Energy Budgets" Grant et al. American Zoologist Chicago: 1992. Vol.32, Iss. 2: pg. 154.
4. In response to this requirement, please state the specific improvements of the subject matter in the claims over the disclosed prior art and indicate the specific elements in the claimed subject matter that provide those improvements. Also any derivative art to the Grant et al. reference.
5. The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an item of required information, a statement that the item is unknown or cannot be readily obtained may be accepted as a complete reply to the requirement for that item.

Art Unit: 2123

6. This requirement is subject to the provisions of 37 CFR 1.134, 1.135 and 1.136 and has a shortened statutory period of 2 months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Correspondence Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mr. Tom Stevens whose telephone number is 571-272-3715, Monday-Friday (8:00 am- 4:30 pm EST).

If attempts to reach the examiner by telephone are unsuccessful, please contact examiner's supervisor Mr. Leo Picard ((571) 272-3749). The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.. Answers to questions regarding access to the Private PAIR system, contact the Electronic Business Center (EBC) (toll-free (866-217-9197)).



January 6, 2006

TS

**LEO PICARD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100**